

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Brian Garrett, et al.,

Plaintiffs,

Lead Action 2:18-cv-692

v.

Judge Michael H. Watson

The Ohio State University,

Chief Magistrate Judge Deavers

Defendant.

ORDER

On March 15, 2019, the Court consolidated Case Nos. 2:18-cv-692 and 2:18-cv-736 during the pendency of mediation because they presented common questions of law and fact. ECF No. 69, 2:18-cv-692. Pursuant to that Order, the Court **CONSOLIDATES** during the pendency of mediation the following cases, filed after issuance of the March 15, 2019 Order, with 2:18-cv-692 and 2:18-cv-736: 2:19-cv-1911, 2:19-cv-2237, 2:19-cv-2429, 2:19-cv-2462, 2:19-cv-3165, 2:19-cv-4397, 2:19-cv-4433, 2:19-cv-4441, 2:19-cv-4624, 2:19-cv-4634, 2:19-cv-4746, 2:19-cv-4902, 2:19-cv-5272, and 2:19-cv-5418. See Fed. R. Civ. P. 42(a).

During the period of consolidation, all filings shall be made in Case No. 2:18-cv-692. Additionally, pursuant to the Court's May 24, 2019 Opinion and Order, ECF No. 90, 2:18-cv-692, The Ohio State University shall provide one representative from Plaintiff's counsel in each of the newly consolidated cases an unredacted version of the Perkins Coie report for use during the Court-ordered

mediation portion of this judicial proceeding. The Report shall be designated "Highly Confidential—Attorney's Eyes Only."

Moreover, counsel in all cases are **DIRECTED** to review the Court's Order, ECF No. 90, 2:18-cv-692. As stated therein, the Court believes the best course of action is to focus efforts at this time on mediation rather than litigation. To that end, the Court **DENIES WITHOUT PREJUDICE** the following pending motions:

- ECF No. 100 (2:18-cv-692)
- ECF Nos. 79,¹ 101, 103 (2:18-cv-736)

The Court discourages the filing of motions unnecessary to the furtherance of mediation unless and until Judge Barrett informs the Undersigned that mediation has reached impasse. This approach will conserve the resources of the parties and the Court.

Finally, the Court has not granted the *Garrett* or *Snyder-Hill* Plaintiffs leave to further amend their First Amended Complaints and, accordingly, **STRIKES** the Amended Complaints that were filed without leave of Court in Case Nos. 2:18-cv-736 (ECF No. 105) and 2:18-cv-692 (ECF No. 126).

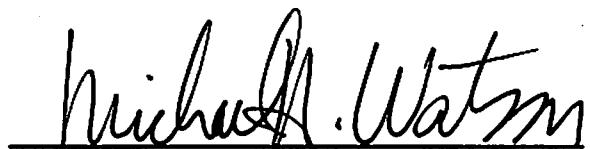
The Clerk is **DIRECTED** to file this Order in Case Nos. 2:18-cv-692 and 2:18-cv-736 as well as in the cases consolidated therewith by virtue of this Order: 2:19-cv-1911, 2:19-cv-2237, 2:19-cv-2429, 2:19-cv-2462, 2:19-cv-3165, 2:19-cv-4397, 2:19-cv-4433, 2:19-cv-4441, 2:19-cv-4624, 2:19-cv-4634, 2:19-cv-4746,

¹ To the extent John Doe 22 seeks to substitute his counsel during the mediation, see ECF No. 79, 2:18-cv-736, that request should be directed to Judge Barrett.

2:19-cv-4902, 2:19-cv-5272, and 2:19-cv-5418.

The Clerk is further DIRECTED to terminate ECF No. ECF No. 100 (2:18-cv-692) and ECF Nos. 79, 101, 103 (2:18-cv-736).

IT IS SO ORDERED.


MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT